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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re CELERA CORP. SEC. LITIG.

No. 5:10-cv-02604-EJD(HRL)

This Document Relates To:

ALL ACTIONS.

CLASS ACTION

STIPULATION AND ~~PROPOSED~~ ^{5:04804} ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE

1 Pursuant to Civil L.R. 7-12, the parties, by and through their undersigned counsel of record,
2 submit the following stipulation and proposed order requesting that the case management conference
3 currently scheduled for December 2, 2011 be rescheduled to a date and time that is convenient to the
4 Court not less than 30 days after the Court has ruled on Defendants' pending motion to dismiss.

5 WHEREAS, the above-captioned action is a securities class action lawsuit, governed by the
6 Private Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (the "PSLRA");

7 WHEREAS, pursuant to the PSLRA, unless otherwise ordered by the Court, all discovery
8 and other proceedings in this action are stayed during the pendency of any motion to dismiss, 15
9 U.S.C. § 78u-4(b)(3)(B);

10 WHEREAS, on June 14, 2010, the Court set an initial case management conference for
11 December 20, 2010 [Dkt. No. 3];

12 WHEREAS, pursuant to orders dated September 14 and 23, 2010, the Court set a case
13 management conference for November 15, 2010 [Dkt. Nos. 18, 21];

14 WHEREAS, on November 2, 2010, the Court continued the November 15, 2010 case
15 management conference in this action to March 7, 2011 pursuant to the parties' stipulation
16 requesting a conference after a hearing on Defendants' motion to dismiss [Dkt. No. 27];

17 WHEREAS, on February 18, 2011, the Court rescheduled the March 7, 2011 case
18 management conference to March 28, 2011 [Dkt. No. 36];

19 WHEREAS, on March 24, 2011, the Court continued the March 28, 2011 case management
20 conference to September 19, 2011 pursuant to the parties' stipulation regarding the filing of an
21 amended complaint [Dkt. No. 40];

22 WHEREAS, on April 25, 2011, this action was reassigned to the Honorable Edward J. Davila
23 and all previously-existing deadlines were terminated in the action [Dkt. No. 43];

24 WHEREAS, on May 6, 2011, Lead Plaintiff Washtenaw County Employees' Retirement
25 System ("Lead Plaintiff") filed the Second Amended Consolidated Complaint for Violation of the
26 Federal Securities Laws [Dkt. No. 45] (the "Second Amended Complaint");

27 WHEREAS, on June 21, 2011, Defendants filed a motion to dismiss the Second Amended
28 Complaint [Dkt. No. 48]; on August 4, 2011, Lead Plaintiff filed an opposition to Defendants'

1 motion to dismiss [Dkt. No. 53]; on September 1, 2011, Defendants filed a reply in support of their
2 motion to dismiss [Dkt. No. 55]; on September 30, 2011, the Court heard oral argument on the
3 motion to dismiss [Dkt. No. 57]; and Defendants' motion to dismiss has been taken under
4 submission by the Court;

5 WHEREAS, by Clerk's Notice entered on August 24, 2011 [Dkt. No. 54], a case
6 management conference in this action is currently scheduled for December 2, 2011;

7 WHEREAS, the parties agree that it would conserve judicial and party resources to hold the
8 case management conference in this action after the Court has decided the motion to dismiss;

9 IT IS HEREBY STIPULATED AND AGREED, pursuant to Civil L.R. 7-12, by the parties
10 through their undersigned counsel of record, subject to approval of the Court, as follows:

11 1. The case management conference currently scheduled for December 2, 2011, shall be
12 rescheduled to a date and time that is convenient to the Court not less than 30 days after the Court
13 has ruled on Defendants' pending motion to dismiss; and

14 2. The parties shall file a Joint Case Management Conference Statement ten days before
15 the conference.

16 DATED: November 22, 2011

ROBBINS GELLER RUDMAN
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WILLOW E. RADCLIFFE
SARAH R. HOLLOWAY

19 _____
20 /s/ Willow E. Radcliffe
WILLOW E. RADCLIFFE

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DATED: November 22, 2011

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Counsel for Defendants Celera Corporation,
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Christopher Hall

I, Willow E. Radcliffe, am the ECF User whose ID and password are being used to file this
Stipulation and [Proposed] Order Continuing Case Management Conference. In compliance with
General Order 45, X.B., I hereby attest that Judson E. Lobdell has concurred in this filing.

/s/ Willow E. Radcliffe
WILLOW E. RADCLIFFE

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: November 23, 2011



THE HONORABLE EDWARD J. DAVILA
UNITED STATES DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2011, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on November 22, 2011.

/s/ Willow E. Radcliffe
WILLOW E. RADCLIFFE

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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